

Judge Robert S. Lasnik

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,
Plaintiff,
v.
RAUL MALDONADO LUCIANO
a/k/a Evaristo, Americano, Marigo,
JOACHIN LUA LUCIO
a/k/a Grenas,
MANUEL MARQUEZ GOMEZ
a/k/a Carlos,
ROBERTO MARQUEZ GOMEZ
a/k/a Bobby,
JOSE MONTALVO-JUACHIN
a/k/a Jorge,
PEDRO GOMEZ VASQUEZ
a/k/a Hector,
BERNARDO GOMEZ CASARIN
a/k/a Richard, Nayo,
ARVIN MELENDEZ DIAZ
a/k/a Jorge, George,
BERNARDO GOMEZ HERRERA,
ANICETO SILVA CHAVEZ,
CHADWICK QUENTON SMITH,
Defendants.

NO. CR06-197RSL

ORDER CONTINUING
TRIAL DATE AND PRETRIAL
MOTIONS DEADLINE

THIS MATTER comes before the Court pursuant to the stipulation of the parties to continue the current trial date of August 14, 2006, and extend the pretrial motions deadline.

1 The government and all defendants with defense counsel appeared before this
 2 Court on July 26, 2006 for a status conference. At this time, the government and all
 3 defendants stipulated to a continuance of the current trial date to November 6, 2006 and
 4 all defendants agreed to file waivers of speedy through November 30, 2006 to
 5 accommodate this request.

6 The case is complex charging 11 defendants with Conspiracy to Distribute Heroin
 7 stemming from a wire investigation where thousands of calls were intercepted on four
 8 telephones. To date, the government has provided defendants with the recordings of
 9 these telephone calls and over 1400 pages of discovery. Given this large volume of
 10 material, it is unreasonable to expect adequate preparation for trial before the current trial
 11 date of August 14, 2006.

12 Having considered the entirety of the record, the files herein, and the
 13 representations of the parties in open court, this Court finds that a failure to grant a
 14 continuance would likely result in a miscarriage of justice. As such, this Court further
 15 finds that the ends of justice are served by the parties being adequately prepared for trial,
 16 and outweigh the interests of the public and the defendants in a speedy trial.

17 IT IS NOW, THEREFORE, ORDERED that trial date be continued from August
 18 14, 2006 to November 6, 2006, and that the time between the date of this Order and the
 19 new trial date be excludable time under the Speedy Trial Act pursuant to Title 18, United
 20 States Code, Sections 3161(h)(8)(A), 3161(h)(8)(B)(I), and 3161(h)(8)(B)(ii).

21 IT IS FURTHER ORDERED that the defendants shall file waivers of speedy trial
 22 no later than August 4, 2006 to accommodate the requested continuance.

23 //

24 //

25 //

26 //

27 //

28 //

1
2 IT IS FURTHER ORDERED that pretrial motions shall be filed on or before
3 October 5, 2006.

4 Dated this 2nd day of August, 2006
5

6 
7

8 Robert S. Lasnik
9 United States District Judge
10

Presented by:
11

12 s/ Lisca Borichewski
13

14 LISCA BORICHEWSKI
15 Assistant United States Attorney
16 700 Stewart Street, Suite 5220
17 Seattle WA 98101-1271
18 (206) 553-2266, Fax: (206) 553-4440
19 E-mail: lisca.borichewski@usdoj.gov
20 Washington State Bar #24300
21
22
23
24
25
26
27
28